(1)

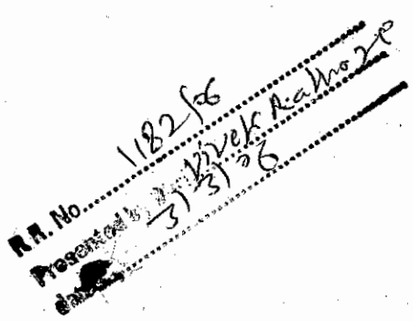
IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH

AT BILASPUR

WRIT PETITION NO. 1107/2006

PETITIONER

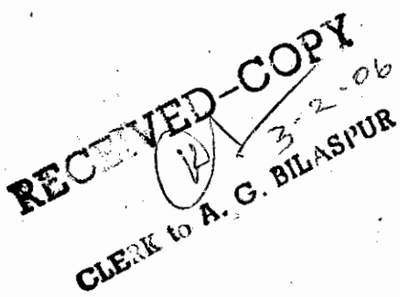
J.R. Bhagat,
Aged about 42 years,
S/o - Shri S.R. Bhagat,
Posted as - Executive Engineer, Tribal Development Pilot Project Water Resources Division, Jagdalpur, District – Bastar, (C.G.)



VERSUS

RESPONDENTS

1) State of Chhattisgarh
Through: Secretary,
Water Resources Department Secretariat,
Mantralaya D.K.S. Bhawan,
Raipur (C.G.)



2) Deputy Secretary,
Water Resources Department Secretariat,
Mantralaya D.K.S. Bhawan,
Raipur (C.G.)

3) B.D. Vaishnav,
Assistant Engineer (Design)
Office of the Chief Engineer,
Mahanadi Reservoir Project,
Raipur, (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF APPROPRIATE WRIT (S) AND OTHER ORDER (S) OR DIRECTION (S) ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

026

आदेश पत्रक

मामला क्रमांक WP 1107/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10-3-2006

Shri Y.C. Sharma and Shri Vivek Rathore, counsel for the petitioner.

Shri G.K. Beriwal, Dy. Advocate General for the State.

Heard.

Learned counsel for the petitioner submits that vide order dated 28-2-2006 (Annexure-P/1) the petitioner has been posted in the office of the Superintendent Engineer, Indrawati Project Circle, Jagdalpur. The petitioner is working as Executive Engineer. It is submitted that by the impugned order the charge is to be given to respondent No.3 B.D. Vaishnav, who is working as Assistant Engineer at Raipur, whereas nine Assistant Engineers were available at Jagdalpur. Learned counsel submits that the petitioner has not handed over the charge and working in the field. It is pointed out that the petitioner has not made any representation.

Learned counsel for the State submits that for the present, the petitioner may be directed to make a representation before the concerned competent authorities and if such representation is made, the same shall be considered and decided.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of respondents alongwith a copy of the petition and this order within a period of seven days from today and on such representation being filed, the competent authority of the respondents shall decide the same on its

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027

आदेश पत्रक

मामला क्रमांक WP 1107/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

own merits in accordance with law as early as possible preferably within a period of one month from the date of receipt of representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

Learned counsel for the petitioner submits that the petitioner has not been relieved and he prays for grant of interim protection.

In view of the above, it is directed that if the petitioner has not been relieved he may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved, this order will not entitle him to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.(W.).P.No.863/2006 also stand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Gowri

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22.3.06